07-09-03 1634 -



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
VISCHER

Serial No.: 10/033,426

Filed: December 27, 2001

For: *Method for Processing a Nucleic Acid Sample by Swinging a Segment of a Cartridge Wall, a System and a Cartridge for Performing Such a Method*

Confirmation No. 9281

Art Unit: 1634

Examiner: Fredman, Jeffrey Norman

Attorney Docket No.: 1803-325-999

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the restriction requirement from the U.S. Patent and Trademark Office dated June 4, 2003. The period for reply is set to expire on July 7, 2003. Please enter the following election and remarks into the file of the above identified application.

The Examiner has imposed a restriction between:

Group I. Claims 1, drawn to a method for purification of a nucleic acid, classified in class 536, subclass 25.4.

Group II. Claims 2 and 3, drawn to a system and cartridge for processing nucleic acids, classified in class 435, subclass 287.2.

ELECTION

Applicant elects to prosecute the claims of Group II, without traverse.

REMARKS

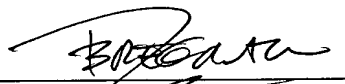
Please note that the Examiner has mischaracterized Group I, which should be considered drawn to a "method of processing a nucleic acid sample contained in a liquid," as per the preamble of claim 1, and not "a method for purification of a nucleic acid."

CONCLUSION

If there are any fees or credits due in connection with the filing, including any fees required for an Extension of Time under 37 C.F.R. Section 1.136, authorization is given to charge any necessary fees to our Deposit Account No. 16-1150 (order no.1803-325-999). A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

Date July 7, 2003



45,645. .

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